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EXAMINER

HOSSAIN, FARZANA E

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/006,914	<b>Applicant(s)</b> JULIA ET AL.	
	<b>Examiner</b> FARZANA E. HOSSAIN	<b>Art Unit</b> 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 7, 15-18, 23, 24, 30-32 and 38-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7, 15-18, 23, 24, 30-32 and 38-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/04/2008 has been entered.

### ***Response to Amendment***

This action is in response to communications filed 08/04/2008. Claims 1-6, 8-14, 19-22, 25-29 and 33-37 are cancelled. Claims 7, 15, 17, 18, 23, 24, 30-32, 38, 46 and 48 are amended. Claims 16, 39-45 and 47 have been previously presented.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Regarding Claim 7, the application argues that Ellis does not teach receiver system configured to control any one of the plurality of devices with the command, the plurality of devices including a set of one or more audio-video devices that are cable of receiving or generating audio and video from multimedia content (Page 9). The applicant also argues that Ellis lacks teaching multiple types of audio devices using a command from a palmtop computer that can change the state of multiple devices or receiving and displaying content stored or received by broadcast or digital connection (Pages 9-10).

In response to the argument, Ellis discloses a receiver system is provided with the display device (Figure 2a, 22, Figure 3, 28), wherein the receiver system is configured to both receive and store a multimedia transmission from one of a broadcast or digital cable connection (Page 6, paragraphs 0080-0083, Page 4, paragraph 0068), the receiver system to display both the multimedia content that is stored in the receiver system and multimedia content that is delivered from one of broadcast or digital cable connection (Page 6, paragraphs 0080, 0085 Figure 2a, Figure 6a) and wherein the receiver system is capable of communicating with each of a plurality of devices of different types that are designated by the user and interconnected to the receiver system including storage devices and display devices (Figure 3, 38, 32, Figure 4, 45, 47, 49, Page 7, paragraphs 0090-0091, Page 6, paragraphs 0080, 0083); the receiver controls any one of the plurality of devices with the command (Page 6, paragraph 0080-0083), the plurality of devices including a set of one or more audio-video devices that are capable of receiving or generating audio and video content from the multimedia

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content (Page 6, paragraphs 0080-0083, 0085 Page 7, paragraphs 0090, 0091, Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0017) and wherein the receiver is capable of causing any one of the plurality of devices to change a state by communicating the command from the palmtop computer and wherein the receiver system is configured to communicate at least a portion of both the multimedia content that is stored on the receiver system and multimedia content that is delivered from one of the broadcast or digital cable connection to the palmtop computer using the network (Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0015). The examiner would like to note the claim states one or more audio-video devices which can relate to televisions and any storage devices for receiving and/or generating audio and video. Ellis clearly discloses these limitations. Nowhere in the limitations are there receiving and/or generating audio for an audio only devices and should this claim limitation be added to the claim in the future, then the examiner requests the section in the Applicant's specification for support. Applicant's specification Page 8, lines 15-19 refer to audiovisual devices such as televisions and VCRs.

See new rejection for remaining limitations.

3. Applicant's arguments filed 08/04/2008 have been fully considered but they are not persuasive.

Regarding Claim 15, the applicant argues that Harrison does not disclose enabling a user of a palmtop computer to respond to dramatic audio/video events and the audio video events depict actions such as a game show (Page 10).

In response to the arguments, the examiner respectfully disagrees. First of all, the limitation contains an OR which means that even if Harrison did not disclose the limitation it would not matter as Harrison discloses the first element of the OR limitation enabling a user of a palmtop that is connected over a network to either (i) a source associated with the TV content (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, Page 5, paragraphs 0054-0055). Second, Harrison discloses primary data stream or dramatic audio/video content and an associated stream which is enhancing the primary data stream (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, Page 5, paragraphs 0054-0055). Harrison discloses a user responds to the dramatic audio/video events that are part of television content such as any multimedia content including a news program or historical program and an action taken by the user on the program is meets the limitation of enabling a user of a palmtop computer that is connected over a network to (ii) the television system to respond to dramatic audio/video events that are depicts as a part of the television content (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, Page 5, paragraphs 0054-0055). There is no recitation of a game show and nor does audio/video events need to relate to actions for a game show.

4. Applicant's arguments filed 08/04/2008 have been fully considered but they are not persuasive.

Regarding Claim 30, the applicant argues that Harrison does not teach audio video events (Pages 10-11).

In response to the argument, the examiner respectfully disagrees. Harrison discloses enabling a user to manipulate a palmtop computer to respond to one or more events as depicted as actions or events depicted in the audio and video content of the TV program any multimedia content including a news program or historical program and an action taken by the user on the program to obtain information (Page 4, paragraph 0051, Page 5, paragraph 005, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071); wherein enabling the user includes using the palmtop computer to signal an input corresponding to the user's manipulation over a network to a destination that is associated with the TV program (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, 0051, Page 5, paragraphs 0054-0055, Page 5, paragraph 005, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071). See response to Claim 15.

5. Applicant's arguments filed 08/04/2008 have been fully considered but they are not persuasive.

Regarding Claim 32, the applicant argues that Dureau does not disclose of to one or more participants who separately processing a different multimedia signal (Page 11).

In response to the argument, Dureau discloses multiple receivers separately processing a different multimedia signal and therefore corresponding palmtop computers interact with audio video events (Page 2, paragraph 0024, Page 3, paragraph 0026, Pages 7-8, paragraphs 0062-0066). See rejection.

6. Applicant's arguments with respect to claims 38-46 have been considered but are moot in view of the new ground(s) of rejection.

Regarding Claims 38 and 46, the applicant argues that there is not a plurality of palmtop computers corresponding to receiver systems (Pages 11-12).

In response to the argument, Dureau discloses multiple receivers separately processing a different multimedia signal and therefore corresponding palmtop computers interact with audio video events (Page 2, paragraph 0024, Page 3, paragraph 0026) and communicating inputs to other palmtop computers (Page 8, paragraph 0065). Dureau discloses communicating between receiving systems (Page 8, paragraph 0066). Dureau is silent on communicating inputs of a receiving system with another receiving system. See rejection for new limitations.

7. Applicant's arguments filed 08/04/2008 have been fully considered but they are not persuasive.

Regarding Claim 48, applicant argues that Ellis does not disclose storing television program and communicating the programs over a network (Page 12).

In response to the argument, the examiner respectfully disagrees. Ellis discloses the receiver system is configured to transmit one or more selected television programs to the palmtop computer over a network (Page 2, paragraph 0015), wherein the receiver system is configured to identify the selected television programs from user-input that is entered on the palmtop computer or based on a selection from a guide for a particular program to corresponds to a program being broadcast to the receiver system or stored



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at the receiver system (Page 2, paragraph 0015, Page 12, paragraph 0133) and communicated over the network (Page 2, paragraph 0015, Page 12, paragraph 0133), wherein the selected TV programs correspond to (i) a selected programs as it is received from a broadcast (Page 2, paragraph 0015, Page 12, paragraph), (ii) a selected locally stored TV program of the receiver system (Page 2, paragraph 0015, Page 12, paragraph 0133).

### ***Claim Objections***

8. The following claims are objected to because of the following informalities:
  - a. Claim 7 recites, "anyone." The examiner suggests --any one--. The examiner would also like to note the definition of the word anyone refers to a person.
  - b. Claim 46 recites "which that." The examiner suggests --which--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 7, 23, 24 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al (US 2005/0028208 and hereafter referred to as "Ellis").

Regarding Claim 7, Ellis discloses a system for interacting with multiple network devices (Figure 2a, 22, 19, 24, Figure 6a, 24, 22, Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0017), the system comprising:

a palmtop computer (Figure 5, paragraph 0059) that is wirelessly connected to a network (Page 7, paragraphs 0093, 0094, Page 5, paragraph 0077, Figures 2a-d, 19, Figures 6a-d, 19, Page 7, paragraph 0094), wherein the palmtop computer includes a graphic user interface (Page 7, paragraph 0092), and palmtop computer inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions (Page 7, paragraph 0092, Figure 2a).

Ellis discloses the palmtop computer is operable to communicate on the network (Page 13, paragraph 0138, Figures 2a-d, 19, Figures 6a-6c, 19 Page 2, paragraph 0017) in order to (i) to receive an input corresponding to a command (Page 5, paragraph 0074, Page 13, paragraph 0138, Page 6, paragraph 0083, Page 7, paragraph 0093), wherein the palmtop computer is configured to transmit the command over the network (Page 13, paragraph 0138, Figure 2a, 19, Figure 6a, 19), (ii) enable browsing of web content over the Internet (Page 17, paragraph 0176, Figure 24) and (iii) retrieve emails from over the Internet or the remote program guide access device has

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an email application for sending and receiving emails and also adjusting settings for email application over the Internet (Figure 2a, 19, Figure 6a, 19, Page 7, paragraph 0093-0094, Page 3, paragraph 0029, Page 9, paragraph 0106, Pages 10-11, paragraph 0119, Page 17, paragraph 0180);

a receiver system is provided with the display device (Figure 2a, 22, Figure 3, 28), wherein the receiver system is configured to both receive and store a multimedia transmission from one of a broadcast or digital cable connection (Page 6, paragraphs 0080-0083, Page 4, paragraph 0068),

and wherein the receiver system is interconnected (i) to a display device to enable the display device to display both the multimedia content that is stored in the receiver and multimedia content that is delivered from one of broadcast or digital cable connection (Page 6, paragraphs 0080, 0085 Figure 2a, Figure 6a) and (ii) to the palmtop computer through the network (Figure 2a, 19, Figure 6a, 19) in order to receive the command transmitted from the palmtop computer (Page 13, paragraph 0138, Figure 2a, 19);

wherein the receiver system is capable of communicating with each of a plurality of devices of different types that are designated by the user and interconnected to the receiver system (Figure 3, 38, 32, Figure 4, 45, 47, 49, Page 7, paragraphs 0090-0091, Page 6, paragraphs 0080, 0083);

wherein the receiver is configured to control any one of the plurality of devices with the command (Page 6, paragraph 0080-0083), the plurality of devices including a set of one or more audio-video devices that are capable of receiving or generating audio

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and video content from the multimedia content (Page 6, paragraphs 0080-0083, 0085 Page 7, paragraphs 0090, 0091, Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0017) and

wherein the receiver system is capable of causing any one of the plurality of devices to change a state by communicating the command from the palmtop computer and wherein the receiver system is configured to communicate at least a portion of both the multimedia content that is stored on the receiver system and multimedia content that is delivered from one of the broadcast or digital cable connection to the palmtop computer using the network (Page 13, paragraph 0138, Figure 2a, 19, Page 2, paragraph 0015).

Regarding Claim 23, Ellis discloses all the limitations of Claim 7. Ellis discloses that the receiver is provided by a set top box (Figure 3, 28).

Regarding Claim 24, Ellis discloses all the limitations of Claim 7. Ellis discloses that the receiver is provided with a display device or a personal computer television (Page 7, paragraph 0088).

Regarding Claim 48, Ellis discloses a system for providing television content, the system comprising: a receiver system coupled to the network, wherein the receiver system is configured to receive (i) receive broadcasts of TV programs that each contain audio and video content (Page 4, paragraphs 0068-0069, Page 12, paragraph 0133) and (ii) locally store at least some of the television programs (Page 6, paragraph 0083) and (iii) transmit the audio and video content of the television program to one or more

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palmtop computers using a network (Figure 2a, 19, Page 12, paragraphs 0133, 0135, Page 2, paragraph 0015); wherein the receiver system is configured to transmit one or more selected television programs to the palmtop computer over a network (Page 2, paragraph 0015), wherein the receiver system is configured to identify the selected television programs from user-input that is entered on the palmtop computer or based on a selection from a guide for a particular program to corresponds to a program being broadcast to the receiver system or stored at the receiver system (Page 2, paragraph 0015, Page 12, paragraph 0133) and communicated over the network (Page 2, paragraph 0015, Page 12, paragraph 0133), wherein the selected TV programs correspond to (i) a selected programs as it is received from a broadcast (Page 2, paragraph 0015, Page 12, paragraph), (ii) a selected locally stored TV program of the receiver system (Page 2, paragraph 0015, Page 12, paragraph 0133).

11. Claims 15-18, 30, 31 and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Harrison et al (US 2004/0045039 and hereafter referred to as "Harrison").

Regarding Claim 15, Harrison discloses a method for interacting with a TV system, the method comprising: receiving one or more signals corresponding to a broadcast of a TV content from a source (Page 2, paragraph 0031); and

causing display of an audio and video content from the broadcast on the TV system (Page 2, paragraph 0032, Pages 6-7, paragraphs 0067, 0069) and

enabling a user of a palmtop that is connected over a network to either (i) a source associated with the TV content (Page 2, paragraph 0032, Page 4, paragraphs

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0048, 0050, Page 5, paragraphs 0054-0055, Page 6, paragraphs 0062-0065) or (ii) the television system, to respond to dramatic audio/video events that are depicted as a part of the television content (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, Page 5, paragraphs 0054-0055);

transmitting from over the network an input from the palmtop computer corresponding to the user-responding to the one or more audio-video events (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, Page 5, paragraphs 0054-0055, Page 7, paragraph 0071), wherein the palmtop computer includes a graphic user interface (Figure 7, 208), and the hand held device inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Figure 7, Page 7, paragraph 0071). Harrison discloses processing the input in connection with one or more events (Page 7, paragraph 0071, Page 2, paragraphs 0031-0032).

Regarding Claim 30, Harrison discloses a method for interacting with a display device (Figure 9a, 42), method for interacting with a television system (Figure 9a, 34), and a system for providing TV content, the methods and systems comprising: receiving an interactive multimedia or TV signal (Figure 9a, 36, Figure 9c, 36, Page 2, paragraph 0031, Pages 6-7, paragraphs 0067, 0069), rendering audio and video content corresponding to the TV program on the display device (Page 2, paragraphs 0031, 0032, Pages 6-7, paragraphs 0067, 0069), enabling a user to manipulate a palmtop computer to respond to one or more events as depicted as actions or events depicted

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in the audio and video content of the TV program (Page 4, paragraph 0051, Page 5, paragraph 005, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071); wherein enabling the user includes using the palmtop computer to signal an input corresponding to the user's manipulation over a network to a destination that is associated with the TV program (Page 2, paragraph 0032, Page 4, paragraphs 0048, 0050, 0051, Page 5, paragraphs 0054-0055, Page 5, paragraph 005, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071).

Regarding Claim 16, Harrison discloses all the limitations of Claim 15. Harrison discloses the TV system includes a TV combined with a separate or integrated set top box (STB) (Figure 10a, Figure 10b).

Regarding Claim 17, Ellis discloses all the limitations of Claim 15. Ellis discloses transmitting an interactive component of the one or more signals of the broadcast to the palmtop computer (Page 2, paragraph 0032, Page 4, paragraph 0051, Page 5, paragraphs 0055, 0058, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071) and displaying the portion of the interactive component on the palmtop computer (Page 7, paragraph 0071); wherein the method comprises receiving the input through the user interacting with the interactive component of the broadcast (Page 7, paragraph 0071).

Regarding Claim 18, Harrison discloses all the limitations of Claim 17. Harrison discloses transmitting the interactive content of the broadcast to the palmtop computer includes transmitting the interactive content from a network to the palmtop computer (Page 4, paragraph 0051, Page 5, paragraphs 0055, 0058, Page 6, paragraphs 0062 –0065, Page 7, paragraph 0071).

Regarding Claim 31, Harrison discloses all the limitations of Claim 30. Harrison discloses receiving an interactive signal is an interactive television signal that is communicated through a broadcast, digital cable connection or the Internet (Page 2, paragraph 0033).

Regarding Claim 47, Harrison discloses all the limitations of Claim 30. Harrison discloses communicating the input as entered in response to the one or more events to one or more locations where multimedia signal corresponding to the content is received or created (Page 7, paragraph 0071).

12. Claim 32 is rejected under 35 U.S.C. 102(e) as being anticipated by Dureau et al (US 2002/0056112 and hereafter referred to as "Dureau").

Regarding Claims 32, Dureau discloses method for interacting with a display device (Figure 1, Figure 2, Pages 1-2, paragraphs 0019-0021), the method comprising: processing a multimedia signal in order to display an audio-video content from the multimedia signal on the display device (Page 3, paragraph 0026, Pages 1-2, paragraphs 0019, 0020), enabling a user on a palmtop computer or remote control unit to respond to one or more audio-video event in the audio video content including receiving input from a network corresponding to the user manipulating the palmtop computer is in wireless communication with the network (Page 8, paragraph 0065, Page 3, paragraph 0028); and enabling the input from the user to be communicated over the network to one or more participants who are (i) also displaying the audio-video content by separately processing a different multimedia signal as there numerous receivers (Page



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2, paragraph 0024, Page 3, paragraph 0026) and (ii) interacting with the audio-video events of the audio-video content using corresponding palmtop computers including communicating input of game answers and scores to other participants watching the program to their corresponding home digital assistants, selecting answers to questions and download recipes (Pages 7-8, paragraphs 0061-0065).

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 38-41 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau in view of Handelman et al (US 6,312,336 and hereafter referred to as "Handelman").

Regarding Claims 38, Dureau discloses method for interacting with a display device and a system for providing broadcast content to a user (Figure 1, Figure 2, Pages 1-2, paragraphs 0019, 0020), the method and system comprising: a palmtop computer (Figure 1, 10a-c) including a graphic user interface (figure 4, 87), the palmtop computer being wirelessly coupled to a network (Page 3, paragraph 0028). The palmtop or the home digital assistant inherently includes an operating system as the

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palmtop computer uses as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Page 3, paragraph 0029, Page 8, paragraphs 0065, Page 7, paragraph 0051). Dureau discloses a receiver system coupled to the network (Page 3, paragraph 0026, Figure 2, 24, Page 3, paragraph 0028), the receiver system is configured to (i) receive a broadcast of audio and video content (Pages 1-2, paragraphs 0019-0021, Page 3, paragraph 0026); communicate at least a portion of the broadcast to the palmtop computer using network (Page 3, paragraph 0028, Figure 2, Page 4, paragraph 0033, Pages 7-8, paragraphs 0062-0065). It is necessarily included that the broadcast is communicated to a plurality of receiving systems at the same time, including to the receiving system of the user and to other receiving systems of other users as there are many receivers and programs in the same area (Page 2, paragraph 0024, Page 6, paragraph 0053); wherein the palmtop computer is configured to enable the user to enter one or more inputs in response to occurrence of one or more audio-video events in the broadcast (Pages 7-8, paragraph 0061-0065); wherein the receiver system is configured to receive the one or more inputs from the palmtop computer and communicating to other users who are also receiving the broadcast and responding to the occurrence of the one or more audio-video events (Page 8, paragraph 0065). Dureau is silent on wherein receiver system is configured to enable the one or more inputs to be communicated over the network to the users of the other receiving system who are also receiving the broadcast and responding to the occurrence of the one or more audio-video events. Handelman discloses receiver system is configured to enable

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the one or more inputs to be communicated over the network to the users of the other receiving system who are also receiving the broadcast and responding to the occurrence of the one or more audio-video events (Column 14, lines 15-26, Column 8, lines 50-60, Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dureau to include receiver system is configured to enable the one or more inputs to be communicated over the network to the users of the other receiving system who are also receiving the broadcast and responding to the occurrence of the one or more audio-video events (Column 14, lines 15-26, Column 8, lines 50-60, Figure 1) as taught by Handelman in order to provide a way to incorporate all gaming guides to make it easier for users to pick games to play and to invite players (Column 1, lines 4-6, Figures 2A, 2D) as disclosed by Handelman.

Regarding Claim 46, Dureau discloses system for providing a broadcast to multiple users (Figure 1, Figure 2, Pages 1-2, paragraphs 0019, 0020), the system comprising: a plurality of palmtop computers for communicating with a plurality of receiver systems (Page 2, paragraph 0024), wherein each palmtop computer includes a graphic user interface (figure 4, 87), the palmtop computer being wirelessly coupled to a network (Page 3, paragraph 0028). The palmtop or the home digital assistant inherently includes an operating system as the palmtop computer uses as the operating system makes the computer functional to perform all necessary functions of displaying associated data and allowing interaction by the user (Page 3, paragraph 0029, Page 8, paragraphs 0065, Page 7, paragraph 0051). Dureau discloses wherein each palmtop computer is configured to communicate with one of the plurality of corresponding

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receiver systems over the network (Page 2, paragraph 0024, Page 3, paragraph 0028, Figure 2, Page 4, paragraph 0033, Pages 7-8, paragraphs 0062-0065), each receiver system receiving the broadcast containing audio and video content independent of the other receiving systems (Page 2, paragraph 0024) and communicate at least a portion of the broadcast to the corresponding one of the palmtop computers using the network (Page 3, paragraph 0028, Figure 2, Page 4, paragraph 0033, Pages 7-8, paragraphs 0062-0065); and wherein each palmtop computer is configured to enable the user to enter one or more inputs in response to occurrence of (i) one or more audio-video events in the broadcast (Page 3, paragraph 0028, Figure 2, Page 4, paragraph 0033, Pages 7-8, paragraphs 0062-0065) and (ii) one or more inputs from any of the other palmtop computers in the plurality of palmtop computers that include an input from another user responding to the one or more audio events (Page 8, paragraph 0065).

Dureau does not explicitly disclose that the inputs are from other receiver systems.

Handelman discloses receiver system is configured to enable the one or more inputs to be communicated over the network to the users of the other receiving system who are also receiving the broadcast and responding to the occurrence of the one or more audio-video events (Column 14, lines 15-26, Column 8, lines 50-60, Figure 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dureau to include inputs are from other receiver systems (Column 14, lines 15-26, Column 8, lines 50-60, Figure 1) as taught by Handelman in order to provide a way to incorporate all gaming guides to make it easier for users to

pick games to play and to invite players (Column 1, lines 4-6, Figures 2A, 2D) as disclosed by Handelman.

Regarding Claim 39, Dureau and Handelman disclose all the limitations of Claim 38. Dureau discloses a display device displaying content from the TV broadcasts (Figure 2, Page 2, paragraph 0021).

Regarding Claim 40, Dureau and Handelman disclose all the limitations of Claim 38. Dureau discloses that the palmtop computer is operable to enable a user to communicate a command for the display device or the receiver system (Page 7, paragraph 0061).

Regarding Claim 41, Dureau and Handelman disclose all the limitations of Claim 38. Ellis discloses receiving system includes a console or a set top box (Page 3, paragraph 0026).

Regarding Claim 43, Dureau and Handelman disclose all the limitations of Claim 38. Dureau discloses the broadcast is provided by a television signal and wherein the racier system is configured to receive and use the television signal (Figure 1, Figure 2, Pages 1-2, paragraphs 0019, 0020, Pages 7-8, paragraphs 0062-0065).

Regarding Claim 44, Dureau and Handelman disclose all the limitations of Claim 38. Dureau disclose the television signal is interactive (Pages 1-2, paragraphs 0019, 0020, Pages 7-8, paragraphs 0062-0065).

Regarding Claim 45, Dureau and Handelman disclose all the limitations of Claim 38. Dureau disclose the broadcast depicts audio and video from a game (Page 7,

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paragraph 0061, Page 8, paragraph 0065). Handelman discloses a game show has multiple participants (Column 14, lines 15-26).

15. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau in view of Handelman as applied to Claim 38 and further in view of Herigstad et al (US 2002/0100063 and hereafter referred to as "Herigstad")

Regarding Claim 42, Dureau discloses all the limitations of Claim 38. Dureau is silent on a Wireless Fidelity network. In analogous art, Herigstad discloses that the palmtop computer is coupled to a Wireless Fidelity network (Page 3, paragraph 0039). Therefore, it would have been obvious at the time the invention was made to modify Ellis to include palmtop computer is coupled to a Wireless Fidelity network (Page 3, paragraph 0039) as taught by Herigstad in order to provide more ways to connect the receiver and the mobile device so as to expand the TV viewing experience.

### ***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FARZANA E. HOSSAIN whose telephone number is (571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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FEH  
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